

Berg, Elizabeth

From: Zachary Norris <ZNorris@bdlaw.com>
Sent: Wednesday, June 19, 2013 3:58 PM
To: Berg, Elizabeth; Nicholas W. van Aelstyn
Cc: david Batson; DUTTA, ABHIK
Subject: RE: Public documents
Attachments: YS Basin Entities Warranting Further EPA Investigation.pdf

Thanne,

I hope that this message finds you well.

I performed a quick scan of the contents of the disk that we received yesterday. The disk contains 10 folders, corresponding to 10 different properties, as follows:

Auto Row – 1425 Yosemite
CCSF Housing Authority – 1815 Egbert
Circa Corp – 1330 Fitzgerald
Coca Cola – 5800 3rd
Die & Tool Products – 1925 Ingalls
Lee G and Company – 1485 Bayshore
Macy's – 200 Paul
Micro Tracer – 1370 Van Dyke
Pacific Bell – 6150 3rd
U-Haul – 1505 Bayshore

Our understanding from the May 9 meeting, and your May 13 follow-up email, was that EPA would provide records of all 25 entities/properties on the attached list. Is that understanding correct?

Also, EPA agreed at the May meeting to release a list of parties that received 104(e) letters and the template used. Perhaps you already sent that to Nico, and if so, I apologize. If you have not yet sent it, do you still intend to do so?

Finally, EPA agreed to supply a list of the references that it contacted with respect to the properties identified in the attachment, and to consider waiving privilege regarding information obtained from those interviews. Again, I apologize if you have already provided that information to Mr. van Aelstyn.

Thank you for agreeing to reconsider the entities/properties listed in the attachment. We do hope that the PRPs can assist EPA in identifying additional PRPs at the site, but as you are aware, time is running short.

Thanks much,

Zachary Norris

Associate
Beveridge & Diamond, P.C.
456 Montgomery Street Suite 1800
San Francisco, CA 94104
T (415) 262-4014 ~ F (415) 262-4040
ZNorris@bdlaw.com



CONFIDENTIALITY STATEMENT: *This electronic message contains information from the law firm of Beveridge & Diamond, P.C. and may be confidential or privileged. The information is intended solely for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please notify us immediately by telephone at (202) 789-6000 or by e-mail reply and delete this message. Thank you.*

Please consider the environment before printing this e-mail.

From: Cox, Elizabeth [mailto:Cox.Elizabeth@epa.gov]
Sent: Tuesday, June 18, 2013 5:14 PM
To: Nicholas W. van Aelstyn
Cc: david Batson; DUTTA, ABHIK; Zachary Norris
Subject: RE: Public documents

Attached is the Phase 2 report. I believe this is what you are referring to.

From: Nicholas W. van Aelstyn [mailto:NvanAelstyn@bdlaw.com]
Sent: Tuesday, June 18, 2013 3:16 PM
To: Cox, Elizabeth
Cc: david Batson; DUTTA, ABHIK; Zachary Norris
Subject: RE: Public documents

Thanne,

Thanks much. I'm informed that our messenger has picked-up the disk.

Can you say when the Gonzales documents will be available? Do they include the Phase 2 report and other materials that Jim Cantrell told me he'd provided to EPA? Per our discussion last Friday, will you be in touch with Messrs. Cantrell and Volz before you leave on vacation about dedicating the proceeds from the sale of the property that includes the former Gonzalez Bucket & Drum facility to the Site's remediation?

Also, will you be able to provide feedback before you go on the material that we provided to you two weeks ago regarding the former auto salvage yard located at 1200 Van Dyke Ave. and the still active auto salvage yard at 1201 Van Dyke Ave. (aka 1320 Wallace Ave.)? As you, David and I discussed last Friday, the PRPs are awaiting word from EPA on this before taking any further action with respect to any possible sampling in the area.

Thanks.

Nico

Nicholas W. van Aelstyn

Principal
Beveridge & Diamond, P.C.
456 Montgomery St. Suite 1800
San Francisco, CA 94104
T (415) 262-4008 ~ F (415) 262-4040
NvanAelstyn@bdlaw.com

CONFIDENTIALITY STATEMENT: *This electronic message contains information from the law firm of Beveridge & Diamond, P.C. and may be confidential or privileged. The information is intended solely for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please notify us immediately by telephone at (202) 789-6000 or by e-mail reply and delete this message. Thank you.*

Please consider the environment before printing this e-mail.

From: Cox, Elizabeth [<mailto:Cox.Elizabeth@epa.gov>]
Sent: Tuesday, June 18, 2013 9:23 AM
To: Nicholas W. van Aelstyn
Cc: david Batson; DUTTA, ABHIK
Subject: Public documents

Nico:

The public documents are ready for pickup after 3 pm today with the exception of Gonzales. We are still reviewing those documents for privacy information. When your person is downstairs, please call Abhik at his desk: 415-972-3318. He will come down with the disc. As soon as we have Gonzales reviewed, we will contact you. I am going to be out of the office from June 20 through July 1. In my absence, Abhik will contact you about picking up the additional disc.

Thanne Berg
US EPA Region 9
Office of Regional Counsel
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3908
(415) 203-6104 (mobile)
cox.elizabeth@epa.gov

***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
image001.jpg

which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named

image001.jpg

which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

Yosemite Slough Basin 104e Recipients that Warrant Further Investigation

I. High Priority 104e Recipients – Likely Warrant GNLs

1. Angelica M. & Roberto B. Gonzalez, Jr. (widow and son of Gonzalez Bucket & Drum operator)
2. Pacific Bell Telephone Company (AT&T)
3. Former Pacific Electric Manufacturing Company property (5815 3rd St.)
4. Buckeye Properties facility tenant, Bauer Cooperage
5. Micro Tracers, Inc. and ANRESCO Inc.

II. Insufficient Information Provided in 104e Responses Warranting Follow-Up

A. Those with Some Indication of Hazardous Materials Use

1. Tony Hwang and Bayview Used Cars & Auto Dismantlers (1200 Van Dyke Ave)
2. Walter Dankas & Co. (1340 Underwood Ave.)
3. 6150 3rd St.
4. Western Piping & Engineering Co. (1485 Yosemite)
5. Young Sheet Metal (1445 Van Dyke Ave.)
6. 2350 Jerrold Ave
7. Cleasby Manufacturing Co., Inc. (1414 Bancroft Ave.)
8. 1225 Thomas Ave.

B. Those that Simply Provide No Substantive Information

1. Beverly A. England Trust (1095 Shafter Ave.)
2. Broadway Mechanical Contractors (2225 Ingalls St.)
3. 5600 3rd St.
4. 1515 and 1521 Griffith St.
5. Legallet Properties, LLC (several parcels)
6. Perez Auto & Truck Painting/Suarez Auto Repair (2201-2205 Ingalls St.)
7. 1390 Wallace Ave
8. 1391 and 1395 Wallace Ave
9. Patrick Brooker (2233 Ingalls)
10. 1395 Yosemite Ave.
11. 1296 Armstrong Ave.
12. 1425 Yosemite Ave.

